

FORM PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 1588.GLE.PT
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/ES/US) CONCERNING A FILING UNDER 35 U.S.C 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/786835
INTERNATIONAL APPLICATION NO. PCT/EP99/06692	INTERNATIONAL FILING DATE 11 September 1999	PRIORITY DATE CLAIMED 10 September 1998	
TITLE OF INVENTION REGULATORY SEQUENCES FOR ROOT SPECIFIC OR ROOT ABUNDANT GENE EXPRESSION IN PLANTS			
APPLICANT(S) FOR DO/EO/US Günter Feix, Doerte Wulff			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> <input checked="" type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 10 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> A translation of the annexes to the International Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11. to 16. below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> - Certificate of Mailing - Postcard 			


U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <div style="font-size: 24pt; font-weight: bold; margin-top: 5px;">09/786835</div>	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER			
17. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a)(1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4). \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4). \$96.00 <div style="text-align: center; font-weight: bold;">ENTER APPROPRIATE BASIC FEE AMOUNT -</div>		<div style="border: 1px solid black; padding: 5px;"> CALCULATIONS PTO USE ONLY </div>			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<div style="border: 1px solid black; padding: 5px;"> 840.00 </div>			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	25-20 =	5	X \$18.00	\$ 90.00	
Independent claims	-3 =		X \$78.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$ 260.00	
TOTAL OF ABOVE CALCULATIONS =				\$1190.00	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$1190.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☒ A credit card authorization in the amount of \$1190.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0881 in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0881. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

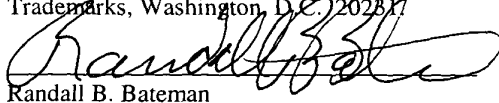
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SIGNATURE
NAME Randall B. Bateman
REGISTRATION NUMBER 37,774

09/786835 "051901"

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Asst. Commissioner for Patents & Trademarks, Washington, D.C. 20231.


Randall B. Bateman

March 9, 2001
Date

MORRISS, BATEMAN, O'BRYANT & COMPAGNI

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Patents, Trademarks,
Copyrights, Trade Secrets
and Related Litigation

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09/786835

J032 Rec'd PCT/PTO 09 MAR 2001

MBOC

March 9, 2001

Assistant Commissioner
for Patents
Box PCT
Washington, D.C. 20231

Re: National Phase U.S. Patent Application for
REGULATORY SEQUENCES FOR ROOT SPECIFIC OR ROOT ABUNDANT
GENE EXPRESSION IN PLANTS
Based on PCT Application No. PCT/EP99/06692, filed September 10, 1999
Claiming priority to: European Pat. App. No. 98117251 filed September 11, 1998
Applicant for U.S. Application: Günter Feix, Doerte Wulff
Citizenship of Applicants Germany
Our File No. 1588.GLE.PT

Dear Sir:

Transmitted herewith for filing the above-referenced application under 35 U.S.C. 371 are the following:

1. Transmittal Letter to the United States Designated/Elected Office Concerning A Filing Under 35 U.S.C. 371 and
2. A copy of the International Search Report.
3. A copy of the front page of the WO-publication.
4. A copy of the International Preliminary Examination Report, including annexes.
5. A copy of the PCT Application, which is in English.
6. A Certificate of Mailing by "Express Mail" certifying a filing date of March 9, 2001 by use of Express Mail No. EL593621462US.



Assistant Commissioner
March 9, 2001
Page 2

7. A Credit Card Authorization in the amount of \$1190.00
8. A post card for acknowledgment of receipt of the application.

Please direct all future correspondence to:

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The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Account No. 50-881.

Dated this 9th day of March 2001.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randall B. Bateman".

Randall B. Bateman
Registration No. 37,774

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RBB/ws
Enclosures